

111TH CONGRESS  
1ST SESSION

# H. R. 1138

To require the Federal Government to reimburse a State or local government for financial losses incurred when an employee of the State or local government who performs public safety or first responder duties and who is also a member of a reserve component of the uniformed services is called or ordered to active duty for a period of more than 30 days.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2009

Mr. WEINER introduced the following bill; which was referred to the  
Committee on Armed Services

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## A BILL

To require the Federal Government to reimburse a State or local government for financial losses incurred when an employee of the State or local government who performs public safety or first responder duties and who is also a member of a reserve component of the uniformed services is called or ordered to active duty for a period of more than 30 days.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REIMBURSEMENT OF STATE AND LOCAL GOV-**  
2 **ERNMENTS FOR PRODUCTIVITY LOSSES IN-**  
3 **CURRED DUE TO DEPLOYMENT OF EMPLOY-**  
4 **EES WHO ARE RESERVE COMPONENT MEM-**  
5 **BERS.**

6 (a) REIMBURSEMENT AVAILABLE.—Chapter 17 of  
7 title 37, United States Code, is amended by adding at the  
8 end the following new section:

9 **“§ 911. Reimbursement of State and local govern-**  
10 **ments for productivity losses incurred**  
11 **due to deployment of certain employees**  
12 **who are reserve component members**

13 “(a) REIMBURSEMENT REQUIRED.—At the request  
14 of a State or local government that has one or more cov-  
15 ered employees who are also members of a reserve compo-  
16 nent and absent from their position of employment with  
17 the State or local government under a call or order to  
18 serve on active duty for a period of more than 30 days,  
19 and subject to the availability of appropriations for such  
20 purpose, the Secretary concerned shall reimburse the  
21 State or local government for financial losses incurred by  
22 the State or local government as a result of the absence  
23 of the covered employees in an amount equal to the  
24 amount of civilian compensation actually paid by the State  
25 or local government to the covered employees during their  
26 absence.

1       “(b) COVERED EMPLOYEES.—Subsection (a) applies  
2 with respect to an employee of a State or local government  
3 who is an emergency response provider, as that term is  
4 defined under section 2(6) of the Homeland Security Act  
5 of 2002 (6 U.S.C. 101(6)).

6       “(c) REGULATIONS.—The Secretary of Defense shall  
7 prescribe such regulations as may be necessary to carry  
8 out this section.

9       “(d) DEFINITIONS.—In this section:

10           “(1) The term ‘civilian compensation’ means  
11 the wages or salary that an employee of a State or  
12 local government normally receives from the employ-  
13 ee’s employment by the State or local government.

14           “(2) The term ‘local government’ means an  
15 agency or political subdivision of a State.

16           “(3) The term ‘State’ means each of the several  
17 States of the United States, the District of Colum-  
18 bia, the Commonwealth of Puerto Rico, Guam, the  
19 Virgin Islands, and other territories or possessions  
20 of the United States.”.

21       (b) CLERICAL AMENDMENT.—The table of sections  
22 at the beginning of such chapter is amended by inserting  
23 after the item relating to section 909 the following new  
24 item:

“911. Reimbursement of State and local governments for productivity losses incurred due to deployment of certain employees who are reserve component members.”.

